

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

**THOMAS S. MANFRE,**

Plaintiff,

V.

**JEROME MAY, WILLIAM MAY,  
DAVID MAY, and R&M FREIGHT,  
INC.,**

Defendants.

Case No. 08 C 1281

Judge Matthew F. Kennelly

**R&M FREIGHT, INC.,**

Magistrate Judge Michael T. Mason

Defendant/Counter-Plaintiff,

V.

**THOMAS S. MANFRE,**

Plaintiff/Counter-Defendant.

## NOTICE OF MOTION

**TO:** Simon J. Hill  
Ethan F. Hayward  
LOWIS & GELLEN LLP  
200 W. Adams St., Suite 1900  
Chicago, IL 60606

Fredric A. Cohen  
Andrew P. Bleiman  
CHENG COHEN LLC  
1101 W. Fulton Market, Suite 200  
Chicago, IL 60607

PLEASE TAKE NOTICE that on Wednesday, May 7, 2008, at 9:30 a.m., or as soon thereafter as counsel may be heard, we will appear before Judge Matthew F. Kennelly, in Courtroom 2103 at 219 South Dearborn Street, Chicago, Illinois, and then and there present **PLAINTIFF'S MOTION TO STRIKE CERTAIN OF DEFENDANTS' AFFIRMATIVE DEFENSES**, a copy of which is hereby served upon you.

Dated: May 2, 2008

Respectfully submitted,

THOMAS S. MANFRE

By: s/ Max A. Stein  
One of His Attorneys

Matthew J. O'Hara (Atty. No. 6237795)  
Max A. Stein (Atty. No. 6275993)  
REED SMITH LLP  
10 S. Wacker Drive  
Chicago, IL 60606  
(312) 207-1000

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**CERTIFICATE OF SERVICE**

I, Max A. Stein, state that on May 2, 2008, I electronically filed the foregoing **NOTICE OF MOTION** with the Clerk of the Court using the ECF system which will send notification to all parties.

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s/ Max A. Stein  
Max A. Stein (Atty. No. 6275993)  
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(312) 207-1000